

United States District Court
Western District of Texas
El Paso Division

United States of America,
Plaintiff,

v.

Marco Antonio Delgado,
Defendant.

No. EP-13-CR-370(1)-DCG

Plaintiff's Redacted Motion to Confirm Sale of Personal Property and Motion to Distribute Proceeds

Among the personal property foreclosed on by the Plaintiff is a Harley motorcycle.¹ The foreclosed personal property is in the possession of the Receiver, Dan Olivas. The fair market retail value of the motorcycle is \$6,185.00 pursuant to Kelley Blue Book, with a wholesale value of \$5,500.00. The Receiver initially listed the motorcycle for sale online at \$7,500.00. After no offers were received at this price, the Receiver lowered the price to \$7,000.00. Ultimately, only one offer was made for the motorcycle, for \$5,500.00, which the Receiver accepted. The purchaser, J [REDACTED] W [REDACTED] of Terlingua, Texas² is a disinterested third-party with no affiliation with the Receiver and the transaction was arms-length.

The Receiver has continued to incur carrying costs for maintaining the real property located at 1109 Cerrito Feliz. The Receiver and the United States are continuing to work through issues with the title company to ensure that good, marketable title is conveyed to the purchaser. In light of these costs, the United States requests that the proceeds be applied towards the existing costs, and the remainder to be escrowed and used to satisfy future anticipated expenditures.

Finally, the Receiver is not in possession of the title for the Harley. Accordingly, the

¹ (Doc. No. 412).

² Given the nature of the Defendant's offenses, the buyer wishes to remain confidential. Accordingly, the United States is filing this motion as redacted. The United States has also filed this motion in sealed and unredacted form with the Court.

United States requests that the Court direct the Texas Department of Motor Vehicles be directed to issue title to the purchaser.³

WHEREFORE, the United States of America requests an order of this Court confirming the sale of the Harley motorcycle and to distribute the proceeds of the sale to the Receiver to defray the costs incurred with respect to 1109 Cerrito Feliz and to ensure payment of future expenditures.

Respectfully submitted,

ASHLEY C. HOFF
United States Attorney

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ATTORNEY FOR UNITED STATES

³ The United States has conferred with counsel for the DMV concerning this request, and they have approved the language in the Order.

Certificate of Service

I hereby certify that a true and correct copy of the foregoing motion was electronically filed via the Court's CM/ECF system and served via United States Postal Service on non-ECF participants on this 6th day of October, 2021 to the following:

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/s/ Steven E. Seward

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